

GOAL:**1 Foster the traditional character of New Hampshire downtowns, villages, and neighborhoods by encouraging mixed-use development that is walkable, sustainable and conducive to community life.**

Historically, patterns of land use have centered upon the availability of transportation and the differentiation between urban uses and rural uses. Urban land uses combined commerce and residences, with institutional uses forming the very core of the urban mix. Rural uses were primarily residential and agricultural, but also included subsistence commercial activity. This separation of urban and rural land uses was largely maintained as long as transportation was either very costly—in either time or money—or was fixed to a certain route and schedule, as was the case with common carrier rail service. With the advent of relatively inexpensive means for personal transportation—the automobile—and the concomitant demand for improved roadways the constraints that limited traditional land use patterns were lifted.

The result, combined with a notion that most land development is necessarily good, the availability of inexpensive land, and a development financing system that has favored new development over re-development of previously built areas, has fueled the land use pattern that has become known as “urban sprawl.”

In New Hampshire, sprawl has been identified as the countless commercial strips lining the highways of many communities, as well as large-lot residential development on the fringes of those same communities. The unifying element between these residential and commercial development patterns is that both require intense use of

automobiles. The result of this auto-dependent diffuse style of development is that land is being consumed at an increasing pace—a pace that has outstripped the growth of both population and economy.¹

Increased commute or travel times coupled with disappearing social capital are secondary impacts of sprawling development patterns. The New Hampshire Charitable Foundation’s 2006 “Social Capital: Better Together” reports that for every 10 minutes of commute time, an individual’s social engagements such as volunteering, political participation, and family time, are reduced by 10 percent. “In general, communities with higher social capital have higher educational achievement, better performing governments, faster economic growth, and less crime and violence. People living in these communities are happier, healthier, and have a longer life expectancy.”²

By statutory design, most decisions governing land use in New Hampshire are made at a local level. This is reflected in the capacity of municipalities to enact zoning ordinances, and to review applications for subdivision of land and for commercial or industrial site plans. There are some overlapping state permits, but the fundamental decisions regarding land use are made in towns and cities. While this is the case, it is also true that many local planning boards are ill equipped to deal with the rapid pace of development that is now confronting them.

Lacking professional staff and the experience to properly assess the problems posed by growth, planning boards instead become permitting boards, whose sole purpose seems to be to review applications for development. Also, municipal land use boards frequently ignore the regional implications of their own decisions because they are focused solely on the local impacts of development.

Despite this focus on local-level planning in New Hampshire, the State has a significant role both in determining where development will go and what impacts development can have. The State's choices in locating and upgrading highways, supporting other modes of transportation, siting state office buildings, funding local infrastructure improvements, and issuing environmental permits have an important cumulative effect on the land use patterns in the State. Moreover, given that New Hampshire municipalities can only exercise authority that is specifically granted to them by the state legislature, if appropriate statutory mechanisms are absent or outdated, then the range of solutions that municipalities can use will be limited.

The State's smart growth principles, as established in RSA 9-B, call on state agencies to "act in ways to encourage smart growth."³ Agencies are encouraged to consider smart growth when providing advice, grants, planning capital improvements, or constructing or leasing facilities. The statutes define smart growth as "the control of haphazard or unplanned development and the use of land which results over time, in the inflation of the amount of land used per unit of human development, and of the degree of dispersal between such land areas."⁴ Also included are key identifiers of smart growth, including vibrant community centers, adherence to traditional settlement patterns, alternative transportation opportunities and uncongested roads, and preservation of historic village centers.

Achieving Smart Growth in New Hampshire, prepared by the Office of Energy and Planning (OEP) in 2003, documents how New Hampshire is changing and highlights some positive examples of development and conservation throughout the state. The report promotes eight development principles including maintain traditional compact settlement patterns; foster the traditional character of downtowns, villages and neighborhoods; incorporate a mix of uses; and preserve New Hampshire's working landscapes.⁵ Many of the principles advocated in *Achieving Smart Growth* and the state statutes are echoed in this goal and subsequent strategies.

The 2006 *Report on Growth Management*, prepared by the Council on Resources and Development reviewed the many actions state agencies have already undertaken to promote smart growth, such as the renovation of the Walker Building at the State Office Park South, Fish and Game's Wildlife Action Plan, Transportation's Community Technical Assistance Program and Context Sensitive Solutions, and Environmental Services' many technical assistance programs designed to promote development in an environmentally sensitive manner.⁶

Between the State and local layers of authority are the State's nine regional planning commissions, which among other duties, assist the planning efforts of towns and cities. While municipalities' membership in the commissions is voluntary, most of the State's towns and cities are members of their respective commissions. The New Hampshire Association of Regional Planning Commissions has endorsed numerous principles related to prosperity, sustainability, mobility, and livability.⁷ Each of these principles is equally relevant to the achievement of this first goal as the State's smart growth principles and statutes.

STRATEGY 1:

Maintain traditional compact settlement patterns that incorporate a mix of uses to efficiently use land, resources, and investments in infrastructure.

Through smart growth, the maintenance of traditional compact settlement patterns, and mixed use development, a community center is able to provide a variety of opportunities to its residents and employees, allowing people to live, work and play within one neighborhood or community. Compact settlements also reduce the need for new or redundant infrastructure and minimize the costs to maintain community infrastructure. Natural resources are ultimately preserved through the concentration of development, potentially retaining larger tracts of undeveloped or forest lands.

Strategy Implementation:

- A. Establish a task force on outreach and education to identify ways the State can address the topic.
- B. Require state agencies to review appropriation or grant funding requests for consistency with the smart growth principles.
- C. Generate new statewide GIS data to depict a time series of development patterns in response to a lack of consistent land use data portraying development trends or sprawl.
- D. Produce high-resolution aerial imagery to compliment the images being taken of the I-93 corridor and Belknap County by DOT.
- E. Fund and prepare a study, similar to the Maine State Planning Office's "The Cost of Sprawl," that would also include a cost of services analysis.

- F. Prepare a market study to investigate consumer home preferences.
- G. Prepare a statewide generalized zoning map that depicts all municipal regulations in a consistent manner.

STRATEGY 2:

Promote good local planning.

Good local planning is dependent on resources and coordination at the local, regional and state levels. Municipal land use boards are bound by state legislation and most rely on volunteers. With few resources available in the community, services, information, and training prepared by the regional planning commissions, OEP, and others, are vital to New Hampshire's planning and zoning boards. Through legislation, new resources and procedures could be established to reduce the burden on municipal land use boards, in communities with or without planning staff, and allow the boards to devote more meeting time toward planning for the future.

Strategy Implementation:

- A. Create better tools for communities to support land use boards activities.
- B. Increase education and training opportunities, making events more accessible and interactive, and introducing online tools such as web broadcasts or webinars.
- C. Establish planning grants for municipalities.
- D. Establish a funding mechanism for regional planning commissions to provide direct technical assistance to local planning boards at no cost to the municipality.

- E. Increase targeted block grant funding to regional planning commissions for the preparation of planning guidance tools for all New Hampshire communities.
- F. Strengthen and clarify Developments of Regional Impacts (DRI) legislation (RSA 36:54 to 36:58) to:
 - Amend the criteria for determining DRI to include specific thresholds;
 - Amend RSA 676:4 to require planning boards to make a DRI determination as part of their application acceptance process;
 - Limit DRI determinations to planning board decisions;
 - Allow neighboring municipalities to appeal;
 - Grant intervener status to affected abutting municipalities and the regional planning commission who would otherwise be unable to demonstrate standing; and
 - Allow for inter-municipal impact fees or development exactions.
- G. Streamline the local permitting process to be more efficient for both the municipality and applicant and consistent across the state.
- H. Allow the local designation of downtown development districts and require state agency to give priority consideration to downtown development districts when siting facilities.
- I. Enable the use of a hearing officer to review subdivision and site plan review applications as an optional innovative tool, freeing up planning boards to devote more time to planning and master plan implementation.

- J. Enable the use of a subdivision and site plan review committee to conduct application reviews and transmit findings to the planning board for final action.
- K. Establish an excellence in planning award.

STRATEGY 3:

Require state agencies to make decisions about the locations of their facilities as a reflection of smart growth principles and consistent with local planning and zoning.

State agencies are in need of guidance to ensure their facility siting decisions are made as a reflection of the smart growth principles. The 2006 Report on Growth Management, prepared by the Council on Resources and Development (CORD), highlights examples, especially the Walker Building at the State Office Park South, where state agencies have served as a role model for promoting smart growth. However, balancing consideration for the smart growth principles with requirements for low cost facilities that are barrier-free and meet parking and security standards, often force agencies out of preferred downtown locations. Report recommendations made by CORD seek to address these conflicts. Further, state agencies should consider local planning efforts and ensure their decisions will not be in direct conflict with the existing or planned surrounding context.⁸

Strategy Implementation:

- A. Coordinate state agency actions to maintain traditional compact settlement and conserve land, resources and infrastructure investments.

- B. Review or audit state and federal capital expenditures to discern where geographically money is going and identify potential land use impacts.
- C. Provide guidance to state agencies on how to balance facility lease costs with the smart growth principles.
- D. Develop a capital project management system that would identify and minimize the potential negative impacts of state actions on municipalities and local planning efforts.
- E. Revise the role of the Council on Resources and Development (CORD) in smart growth reviews and capital improvement plans:
 - Review requests for State financial or technical support of municipal capital investments, such as transportation facilities, solid waste, water supply, or sewage treatment, to assure they are consistent with the State's smart growth principles and state agencies' ongoing efforts.
 - Develop a mechanism to identify "significant" planned state investments, or projects, and review selected endeavors for consistency with the smart growth principles and local, regional, and state planning.
 - Require all state agencies to develop multi-year capital improvements programs that include necessary and/or desired projects and be submitted biennially to CORD for review for consistency with RSA 9-B.
- F. Review state agencies' current policies and programs for consistency with RSA 9-B, the smart growth statutes.
- G. Review the impacts of the existing surplus land disposal process on smart growth and local planning.

- H. Review the Long Range Capital Utilization Committee policies and procedures to ensure the Committee's decisions are consistent with the State's Smart Growth Principles.

STRATEGY 4:**Support historic and traditional community centers.**

New England's traditional town centers have become a model for community and economic development nationwide. Ironically in New Hampshire, today's municipal ordinances often unwittingly undermine existing community centers and channel new development away in a sprawling pattern. Resource protection comes first through knowledge of local historical sites. New Hampshire's Division of Historical Resources has developed a State Register of Historic Places and has initiated preservation training for regional planners.⁹ State support, and promotion, of preserving New Hampshire's historic and traditional community centers, will help implement successful reinvestment plans while simultaneously preventing scattered and premature development, or sprawl, elsewhere.

Strategy Implementation:

- A. Provide assistance to local planning boards to identify and adopt land use regulations that will reduce sprawl, support the economic vitality of existing commercial centers, and provide opportunities to rehabilitate and reuse historic and culturally important structures.

- B. Provide guidelines for state agency actions that support local smart growth and preservation initiatives.
- C. Distribute historic resource inventory and survey results to state agencies, regional planning commission, and municipalities.
- D. Produce model ordinances that encourage innovative approaches to promoting the preservation of historic structures and sites in village centers and downtowns.
- E. Adopt the International Existing Building Code as part of the State Building Code under authority granted by RSA 155-A.
- F. Promote adaptive re-use of existing structures.

STRATEGY 5:

Design transportation solutions in traditional municipal centers and downtowns to fit the context and needs of the community.

New Hampshire's Department of Transportation (DOT) is setting a sound planning example through its Context Sensitive Solutions initiative. This method of transportation improvement planning gathers all stakeholders, including municipal representatives, to explore possible solutions that best fit the context of their environment. The expansion of this effort to include other state agencies would contribute additional expertise and augment state agency facility decisions. More flexible design solutions should be considered through the planning process that increase street connectivity, reduce traffic in community centers, and increase pedestrian and bicycle safety.

Strategy Implementation:

- A. Incorporate bicycle and pedestrian safety when designing transportation solutions and facility siting and improvements.
- B. Increase participation in and the number of carpool or rideshare opportunities for state employees reducing traffic volumes and the number of vehicles requiring parking.
- C. Permit telecommuting, where appropriate, for state agency employees.
- D. Promote state agency cooperation to generate transportation solutions that are in the best interest of the community when establishing or redesigning facilities.
- E. Increase the use of Context Sensitive Solutions (CSS) and require state agencies to participate in CSS events initiated by other local, regional or state entities.
- F. Require state agencies, when making facility decisions, to consult with DOT and utilize CSS.
- G. Require state agency staff responsible for facility siting and development to attend CSS training conducted by DOT.

¹ NH Office of State Planning, Managing Growth in New Hampshire: Changes and Challenges (Concord, NH: 2000) 6-23.

<www.nh.gov/oep/resourcelibrary/HandbooksAndOtherPublications.htm>

² New Hampshire Charitable Foundation, "Social Capital: Better Together." (Concord, NH: 2006) 2.
<www.nhcf.org/page16952.cfm>

³ State of New Hampshire, "RSA 9-B:2."

⁴ State of New Hampshire, "RSA 9-B:3."

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- ⁵ NH Office of Energy and Planning, Achieving Smart Growth. (Concord, NH: 2003).
<www.nh.gov/oep/programs/SmartGrowth/about/index.htm>
- ⁶ Council on Resources and Development, “Report on Growth Management to Governor John Lynch and the NH General Court” (Concord, NH: 2006).
<www.nh.gov/oep/programs/CORD/index.htm>
- ⁷ NH Association of Regional Planning Commissions, “New Hampshire Planning Principles” (October 2004).
- ⁸ Council on Resources and Development.
- ⁹ NH Division of Historical Resources, “New Hampshire State Register of Historical Places” (Concord, NH).
<www.nh.gov/nhdhr/programs/state_register.html>